

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Fixing Our Regulatory Mayhem Upsetting Little Americans Act” or the “FORMULA Act”.

**SEC. 2. DUTY-FREE TREATMENT OF IMPORTS OF INFANT FORMULA.**

(a) IN GENERAL.—During the 90-day period beginning on the date of the enactment of this Act, infant formula shall enter the United States free of duty and free of quantitative limitation.

(b) INFANT FORMULA DEFINED.—In this section, the term “infant formula” has the meaning given that term in section 201(z) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(z)).

**SA 5131.** Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 2938, to make our communities safer; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TRAINING AND HIRING VETERANS AND FORMER LAW ENFORCEMENT OFFICERS AS SCHOOL SECURITY OFFICERS.**

(a) DEFINITIONS.—In this section:

(1) ESSER FUNDS.—The term “ESSER funds” means funds provided under—

(A) section 18003 of the CARES Act (20 U.S.C. 3401 note; Public Law 116-136);

(B) section 313 of division M of the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1929); or

(C) section 2001 of the American Rescue Plan Act of 2021 (Public Law 117-2; 135 Stat. 19).

(2) STATE.—The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) TRAINING AND HIRING VETERANS AND FORMER LAW ENFORCEMENT OFFICERS AS SCHOOL SECURITY OFFICERS.—Notwithstanding any other provision of a law relating to ESSER funds or any other law, a State or local educational agency that has received ESSER funds may, in lieu of the original requested, required, or authorized use for such funds, use a portion of, or all, of the unexpended funds to carry out any of the following activities:

(1) Establish, if necessary, and implement a State certification or licensure program, or other training program required by the State, that—

(A) is designed to train individuals who are veterans or former law enforcement officers to serve as school security officers; and

(B) may include firearm or de-escalation training.

(2) Hire veterans or former law enforcement officers who have completed the State’s program described in paragraph (1) to serve as school security officers in elementary schools and secondary schools in the State.

(c) No FEDERAL INTERFERENCE.—The Secretary of Education shall not—

(1) prevent or discourage any State or local educational agency from using any ESSER funds for a school security activity described in subsection (b);

(2) impose any requirements as to the content or structure of the State certification, licensure, or other training program described in subsection (b)(1);

(3) require that ESSER funds used to carry out subsection (b) be used to prevent, prepare for, or respond to the coronavirus; or

(4) enforce any requirement related to ESSER funds if such requirement would prevent a State or local educational agency from carrying out a school security activity described in subsection (b).

**SA 5132.** Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 5099 proposed by Mr. SCHUMER (for Mr. MURPHY (for himself, Mr. CORNYN, Ms. SINEMA, and Mr. TILLIS)) to the bill S. 2938, to make our communities safer; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_\_\_—EAGLES ACT OF 2022****SEC. \_\_\_\_01. SHORT TITLE.**

This title may be cited as the “EAGLES Act of 2022”.

**SEC. \_\_\_\_02. FINDINGS; SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) On February 14, 2018, 17 individuals lost their lives in a senseless and violent attack on Marjory Stoneman Douglas High School in Parkland Florida, a school whose mascot is the eagle.

(2) These individuals lived lives of warmth, joy, determination, service, and love, and their loss is mourned by the Nation.

(3) The shooter in that attack exhibited patterns of behavior that were alarming and that should have alerted law enforcement and other Federal, State, and local officials.

(4) The attack on Marjory Stoneman Douglas High School was preventable.

(5) Lives were saved because of the brave and exemplary conduct of many students, teachers, and staff at Marjory Stoneman Douglas High School, including several of the victims of the attack.

(6) The National Threat Assessment Center (referred to in this title as the “Center”) was established in 1998 to conduct research on various types of targeted violence.

(7) Studies conducted by the Center on targeted school violence, in particular, have shown that—

(A) most incidents were planned in advance;

(B) the attackers’ behavior gave some indication that the individual was planning, or at least contemplating, an attack;

(C) most attackers had already exhibited a pattern of behavior that was of concern to other people in their lives; and

(D) prior to the attack, someone associated with the attacker, such as a family member or peer, knew the attack was to likely to occur.

(8) Through their research, the Center developed the threat assessment model for responding to indicators of targeted violence, which includes a 3-step process—

(A) identifying individuals who are exhibiting behaviors that indicate they are planning an attack on a school;

(B) assessing whether the individual poses a threat to the school, based on articulable facts; and

(C) managing the threat the individual may pose to the school.

(9) The threat assessment model works most effectively when all the relevant parties, including school officials, local law enforcement, and members of the community, are part of a comprehensive protocol to identify, assess, and manage a potential threat to the school.

(10) The primary goal of threat assessment programs in schools should be to prevent violent conduct, with an emphasis on early intervention, treatment, and care of individuals exhibiting behaviors associated with targeted violence.

(11) Early intervention, treatment, and prevention of violent behavior is an effective way to prevent violent conduct that would harm others and necessitate disciplinary action, including criminal penalties.

(12) The parties involved need the appropriate training and tools to establish the appropriate mechanisms for implementing this type of approach.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a fact-based threat assessment approach, involving school officials, local law enforcement, and members of the community, is one of the most effective ways to prevent targeted violence in schools, and is a fitting memorial to those who lost their lives in the February 14, 2018, attack on Marjory Stoneman Douglas High School and those who heroically acted to preserve the lives of their friends, students, and colleagues.

**SEC. \_\_\_\_03. REAUTHORIZATION AND EXPANSION OF THE NATIONAL THREAT ASSESSMENT CENTER OF THE DEPARTMENT OF HOMELAND SECURITY.**

(a) IN GENERAL.—Chapter 203 of title 18, United States Code, is amended by inserting after section 3056A the following:

**“§ 3056B. Functions of the National Threat Assessment Center of the United States Secret Service**

“(a) IN GENERAL.—There is established a National Threat Assessment Center (in this section referred to as the ‘Center’), to be operated by the United States Secret Service, at the direction of the Secretary of Homeland Security.

“(b) FUNCTIONS.—The functions of the Center shall include the following:

“(1) Training in the area of best practices on threat assessment.

“(2) Consultation on complex threat assessment cases or programs.

“(3) Research on threat assessment and the prevention of targeted violence, consistent with evidence-based standards and existing laws and regulations.

“(4) Facilitation of information sharing on threat assessment and the prevention of targeted violence among agencies with protective or public safety responsibilities, as well as other public or private entities.

“(5) Development of evidence-based programs to promote the standardization of Federal, State, and local threat assessments, best practices in investigations involving threats, and the prevention of targeted violence.

“(c) SAFE SCHOOL INITIATIVE.—In carrying out the functions described in subsection (b), the Center shall establish a national program on targeted school violence prevention, focusing on the following activities:

“(1) RESEARCH.—The Center shall—

“(A) conduct research into targeted school violence and evidence-based practices in targeted school violence prevention, including school threat assessment; and

“(B) publish the findings of the Center on the public website of the United States Secret Service.

“(2) TRAINING.—

“(A) IN GENERAL.—The Center shall develop and offer training courses on targeted school violence prevention to agencies with protective or public safety responsibilities and other public or private entities, including local educational agencies.

“(B) PLAN.—Not later than 1 year after the date of enactment of this section, the Center shall establish a plan to offer its training and other educational resources to public or private entities within each State.

“(3) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Center shall develop research and training programs under this section in coordination with the Department of Justice, the Department of Education, and the Department of Health and Human Services.

“(4) CONSULTATION WITH ENTITIES OUTSIDE THE FEDERAL GOVERNMENT.—The Center is authorized to consult with State and local

educational, law enforcement, and mental health officials and private entities in the development of research and training programs under this section.

“(5) **INTERACTIVE WEBSITE.**—The Center may create an interactive website to disseminate information and data on evidence-based practices in targeted school violence prevention.

“(d) **HIRING OF ADDITIONAL PERSONNEL.**—The Director of the United States Secret Service may hire additional personnel to comply with the requirements of this section, which, if the Director exercises that authority, shall include—

“(1) at least 1 employee with expertise in child psychological development; and

“(2) at least 1 employee with expertise in school threat assessment.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out the functions of the Center \$10,000,000 for each of fiscal years 2022 through 2025.

“(f) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this section, the Director of the Secret Service shall submit to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on the Judiciary and the Committee on Education and Labor of the House of Representatives a report on actions taken by the United States Secret Service to implement provisions of this section, which shall include—

“(1) the number of employees hired (on a full-time equivalent basis);

“(2) the number of individuals in each State trained in threat assessment;

“(3) the number of school districts in each State trained in school threat assessment or targeted school violence prevention;

“(4) information on Federal, State, and local agencies trained or otherwise assisted by the Center;

“(5) a formal evaluation indicating whether the training and other assistance provided by the Center is effective;

“(6) a formal evaluation indicating whether the training and other assistance provided by the Center was implemented by the school;

“(7) a summary of the Center’s research activities and findings; and

“(8) a strategic plan for disseminating the Center’s educational and training resources to each State.

“(g) **DEFINITIONS.**—In this section—

“(1) the term ‘evidence-based’ means—

“(A) strong evidence from at least 1 well-designed and well-implemented experimental study;

“(B) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or

“(C) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias;

“(2) the term ‘local educational agency’ has the meaning given that term under section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and

“(3) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(h) **NO FUNDS TO PROVIDE FIREARMS TRAINING.**—None of the funds authorized to be appropriated under this section may be used to train any person in the use of a firearm.

“(i) **NO EFFECT ON OTHER LAWS.**—Nothing in this section may be construed to preclude or contradict any other provision of law authorizing training in the use of firearms.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) Section 4 of the Presidential Threat Protection Act of 2000 (18 U.S.C. 3056 note) is repealed.

(2) The table of sections for chapter 203 of title 18, United States Code, is amended by inserting after the item relating to section 3056A the following:

“3056B. Functions of the National Threat Assessment Center of the United States Secret Service.”.

#### SEC. 4. RULES OF CONSTRUCTION.

(a) **WAIVER OF REQUIREMENTS.**—Nothing in this title or the amendments made by this title shall be construed to create, satisfy, or waive any requirement under—

(1) title II of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 et seq.);

(2) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(3) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);

(4) title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); or

(5) the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

(b) **PROHIBITION ON FEDERALLY DEVELOPED, MANDATED, OR ENDORSED CURRICULUM.**—Nothing in this title or the amendments made by this title shall be construed to authorize any officer or employee of the Federal Government to engage in an activity otherwise prohibited under section 103(b) of the Department of Education Organization Act (20 U.S.C. 3403(b)).

**SA 5133.** Ms. STABENOW proposed an amendment to the bill S. 2089, to amend the Families First Coronavirus Response Act to extend child nutrition waiver authority, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Keep Kids Fed Act of 2022”.

#### SEC. 2. SUPPORT FOR CHILD NUTRITION PROGRAMS.

(a) **IN GENERAL.**—

(1) **TEMPORARY LUNCH REIMBURSEMENT.**—Each lunch served under the school lunch program authorized under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) shall receive additional reimbursement in the amount of 40 cents.

(2) **TEMPORARY BREAKFAST REIMBURSEMENT.**—Each breakfast served under the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) shall receive additional reimbursement in the amount of 15 cents.

(3) **LIMITATION.**—The additional reimbursement amounts authorized under this subsection shall only be available for the school year beginning July 2022.

(4) **APPROPRIATIONS.**—

(A) **IN GENERAL.**—There is appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as are necessary to carry out this subsection.

(B) **DISBURSEMENT.**—A State agency shall disburse funds made available under subparagraph (A) to school food authorities participating in the school meal programs described in paragraphs (1) and (2).

(c) **EXTENSION OF WAIVERS.**—Section 2202 of the Families First Coronavirus Response Act (42 U.S.C. 1760 note; Public Law 116–127) is amended—

(1) in subsection (a)(1)—

(A) by inserting “due to the COVID–19 pandemic” after “(42 U.S.C. 1760(1))”; and

(B) in subparagraph (A), by striking “and” after the semicolon and inserting “or”; and

(C) by striking subparagraph (B) and inserting the following:

“(B) ensuring continuity of program operation under a qualified program.”;

(2) in subsection (d)—

(A) by striking paragraph (2); and

(B) by striking “the following:” in the matter preceding paragraph (1) and all that follows through “A summary” in paragraph (1) and inserting “a summary”; and

(3) by striking subsection (e) and inserting the following:

“(e) **SUNSET.**—

“(1) **NATIONWIDE WAIVERS.**—The authority of the Secretary to establish or grant a waiver under subsection (a) shall expire on September 30, 2022.

“(2) **WAIVER RESTRICTION.**—After June 30, 2022, a waiver established or granted under subsection (a) shall only apply to schools or summer food service program food service sites—

“(A) operating—

“(i) the qualified program described in subsection (f)(1)(D); or

“(ii) the option described in section 13(a)(8) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(a)(8)); and

“(B) not operating the qualified program described in subsection (f)(1)(A).

“(3) **OTHER WAIVERS.**—

“(A) **CHILD AND ADULT CARE FOOD PROGRAM WAIVER.**—The authority of the Secretary to establish or grant a waiver under subsection (b) shall expire on June 30, 2022.

“(B) **MEAL PATTERN WAIVER.**—The authority of the Secretary to establish or grant a waiver under subsection (c) shall expire on June 30, 2023.

“(4) **LIMITATIONS.**—A waiver authorized by the Secretary under this section shall not be in effect after the date on which the authority of the Secretary to establish or grant that waiver under this subsection expires.”.

(c) **APPROPRIATION.**—There are appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as are necessary to provide waivers under section 2202(a) of the Families First Coronavirus Response Act (42 U.S.C. 1760 note; Public Law 116–127) that apply—

(1) only during the months of May through September in 2022; and

(2) to—

(A) the summer food service program for children under section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761); or

(B) the option described in section 13(a)(8) of that Act (42 U.S.C. 1761(a)(8)).

(d) **NATIONWIDE WAIVER FOR SCHOOL YEAR 2022–2023.**—

(1) **IN GENERAL.**—For purposes of school year 2022–2023, the Secretary of Agriculture may establish waivers under section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1))—

(A) on a nationwide basis; and

(B) without regard to the requirements under paragraphs (1), (2), and (3) of such section that a State or eligible service provider shall submit an application for a waiver request.

(2) **SUNSET.**—A nationwide waiver established by the Secretary of Agriculture under section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)) pursuant to paragraph (1) shall not be in effect after June 30, 2023.

#### SEC. 3. CHILD AND ADULT CARE FOOD PROGRAM.

(a) **IN GENERAL.**—

(1) **TEMPORARY ADDITIONAL REIMBURSEMENT FOR 2022–2023 SCHOOL YEAR.**—Each meal and supplement served under the program authorized by section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C.